



STATE OF  
COLORADO

Ebert - DNR, Jared <jared.ebert@state.co.us>

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## Henderson Development, M-1980-110, Inspection

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Derek Slack <dslack@e-470.com>

Mon, Jul 29, 2019 at 4:13 PM

To: "Ebert - DNR, Jared" <jared.ebert@state.co.us>

Jared,

Thanks for meeting with me the other day. I have looked through the files and found the two seed mixes that were used. One for the initial seeding and one for the reseeding. I believe that the DRMS preferred mix that I found in the file is what we should have been using and should use in the future for reseeding, please confirm.

I also attached the well abandonment notice since it talks about the pits that were excavated to determine if the water was ground water or surface water. Hopefully the water that we saw is an anomaly because of the moisture that we have had this year. We will continue to monitor the water levels and determine if any actions are needed.

I will work with our contractor and develop a weed control plan for the area. Do you need me to submit the plan or are you just concerned with the outcome?

Thanks again for your time.

*Derek Slack, P.E.*

Roadway Maintenance Manager

E-470 Public Highway Authority

O 303-537-3710

C 303-838-8311

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### CONFIDENTIALITY NOTICE

This message and any accompanying documents are intended only for the use of the intended addressee, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is prohibited. If you have received this communication in error, please notify the author immediately. Thank you.

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### 3 attachments



**Scanned from a Xerox Multifunction Printer.pdf**

125K



**reseed mix.pdf**

364K



**9607.00 Sandy Acres closeout ltr 7-15-16.pdf**

633K



July 15, 2016

Ms. Ioana Comaniciu, P.E.  
State Engineer's Office  
1313 Sherman Street, Suite 818  
Denver, CO 80203

Re: Closeout Notice and Well Abandonment for Sandy Acres Pit, SWSP ID 3102 (Division 1)

Dear Ms. Comaniciu:

On behalf of our client, E-470 Public Highway Authority ("E-470"), this letter provides notice to the Division of Water Resources regarding completion of backfilling efforts at the Sandy Acres Pit, a former gravel mining operation near Henderson, Colorado. The former pit is currently permitted as "Henderson Development" under Colorado Division of Reclamation, Mining and Safety ("DRMS") Permit No. M-1980-110. Depletions to the South Platte River from evaporation of exposed ground water at Sandy Acres have been replaced under Substitute Water Supply Plan No. 3102 since 2014.

### **Backfill of Existing Pit**

In 2014, E-470 requested and received approval for an amendment to the existing DRMS permit for Sandy Acres to modify the reclamation plan such that the former gravel pit would be backfilled with inert fill material from an adjacent gravel pit.<sup>1</sup> The backfilling effort began in 2015 and was completed in Spring 2016, with inert fill material placed and compacted such that no exposed ground water remained within the site. Disturbed areas will be vegetated with native seed as required by the amended DRMS permit.

### **Zero Exposed Groundwater and Well Abandonment**

The Sandy Acres site is situated between US Highway 85, E-470 tollway and Nome Street (part of the highway interchange). All three of the surrounding roadways are at higher elevation than the Sandy Acres site, and a portion of the storm water runoff from these roadways is directed toward the Sandy Acres site via culverts, swales and sheet flows. Following completion of the backfilling effort to restore the surface grade at Sandy Acres, the site necessarily remains a low-lying area compared with the surrounding roadways, and surface runoff may from time to time collect within the extents of the former gravel pit. However, collection of surface runoff within the site does not constitute ongoing exposure of ground water.

On July 1, 2016, a small amount of surface runoff was ponded within the Sandy Acres site. To confirm the ponded water was not directly connected to local ground water, several test holes were excavated adjacent to the ponded area as shown in the table below.

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<sup>1</sup> Amendment No. 6 (AM-06) to DRMS Permit No. 1980-110. See also Technical Revision No. 3 (TR-03).

Test Hole Number	Distance from Poned Area	Hole Depth Below Poned Surface	Depth to Water in Hole (7/1)	Depth to Water in Hole (7/5)
1	50	4.36	Dry	Dry
2	25	4.76	Dry	Dry
3	25	5.75	Dry	Dry

*All values in feet.*

Three test holes were excavated to depths of 4.4 to 5.8 feet below the ponded area water level on July 1, 2016. If the ponded water on the surface on that date had been exposed ground water, the ground water level adjacent to that ponded area would be very close to the surface water elevation. However, ground water was not encountered in any of the three test holes near the ponded area on that date. The test holes remained dry four days later on July 5.

Based on these test hole observations and a final grade surface elevation above the former high water line throughout the site, zero exposed ground water remains within the permit boundaries of the former Sandy Acres Pit. Attached please find a Well Abandonment Report (GWS-09) associated with the now-backfilled Sandy Acres Pit (Well Permit No. 78820-F).

#### **Future SWSP Operations**

The accounting for SWSP No. 3102 will be revised to reflect the above-described reduction in exposed ground water area to zero and the associated elimination of ongoing ground water evaporation. Although the backfilling was completed at an earlier date in 2016, this accounting adjustment will conservatively take effect beginning on July 1, 2016 to coincide with the ground water influence test described above.

The next request for renewal for SWSP No. 3102 will also reflect the cessation of ground water evaporation at Sandy Acres. Stream depletions identified in the forthcoming request for renewal and subsequent renewals will reflect only the ongoing lagged depletions from previous evaporative losses.

We request written confirmation from your office regarding receipt of this notice and transition of the Sandy Acres SWSP from ongoing evaporation to lagged depletions from prior evaporation only. Please don't hesitate to contact me with any questions, comments or concerns in the meantime.

Very Truly Yours,

BISHOP-BROGDEN ASSOCIATES, INC.



Austin Malotte, P.E.  
Project Manager – Water Resources Engineer

APM/jeb

Enclosures

cc: Brent Schantz, Division 1 River Ops Coordinator  
Neil Thomson  
Austin Hamre  
Division 1 Accounting email

9607.00

Form No. GWS-09 4/2012	<b>STATE OF COLORADO, OFFICE OF THE STATE ENGINEER</b> 821 Centennial Bldg., 1313 Sherman St., Denver, CO 80203 (303) 866-3581 Fax (303) 866-3589 <a href="mailto:dwpermitsonline@state.co.us">dwpermitsonline@state.co.us</a>	For Office Use Only															
<b>WELL ABANDONMENT REPORT</b> Use to report plugging and sealing of permitted wells, monitoring and other holes. This form can be computer generated, typed or printed in black or blue ink. Instructions and plugging standards are on reverse side of form.																	
<b>Well Permit Number of the well being plugged</b> <u>78820-F</u> <b>or</b> <b>MH File Number MH-</b> _____ <b>Hole ID #/Name</b> _____																	
<b>Individual/Company responsible for plugging and sealing the well:</b> Name(s) <u>E-470 Public Highway Authority C/O Bishop-Brogden Associates, Inc.</u> Mailing Address <u>333 West Hampden Avenue, Suite 1050</u> City, St., Zip <u>Englewood, CO 80110</u> Phone (area code & no.) <u>303.806.8952</u> Email: <u>amalotte@bbawater.com</u>																	
<b>Well (Hole) Owner:</b> NAME(S) <u>E-470 Public Highway Authority</u> Phone (include area code) <u>303.537.3712</u> Mailing Address, City, St., Zip <u>22470 East 6th Parkway, Suite 110</u>																	
<b>ACTUAL WELL LOCATION:</b> County <u>Adams</u> Property Address, City, St, Zip <u>N/A (former gravel pit)</u> <u>1/4 of the</u> <u>SE</u> <u>1/4</u> , Sec. <u>26</u> , Twp. <u>1</u> <input type="checkbox"/> N. or <input checked="" type="checkbox"/> S., Range <u>67</u> <input type="checkbox"/> E. or <input checked="" type="checkbox"/> W., <u>6th</u> P.M. Distance from Section Lines <u>N/A</u> Ft. from <input type="checkbox"/> N. or <input type="checkbox"/> S., <u>N/A</u> Ft. from <input type="checkbox"/> E. or <input type="checkbox"/> W. Line. Subdivision Name <u>N/A</u> Lot _____, Block _____, Filing/Unit _____ Optional: GPS well location information in UTM format. You must check GPS unit for required settings as follows: Format must be UTM, zone 12 <input type="checkbox"/> or zone 13 <input type="checkbox"/> ; Units must be meters; Datum must be NAD83; Unit must be set to true north. <b>Easting</b> _____ <b>Northing</b> _____																	
I (we) report the existing well (hole) was plugged and sealed on the date of <u>04/04/2016</u> for the following reason(s): <input type="checkbox"/> The well was plugged and sealed as required under Well Permit Number _____. <input type="checkbox"/> The well was not in use and was plugged and sealed. <input checked="" type="checkbox"/> Other (please explain) <u>Former gravel pit was backfilled. Completion of backfill verified 7/1/2016.</u>																	
The well was plugged with the following materials placed at the indicated intervals: <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Amount and Type of Material</th> <th style="text-align: left;">Method of Placement</th> <th style="text-align: left;">Interval</th> </tr> </thead> <tbody> <tr> <td><u>Inert material from neighboring pit</u></td> <td><u>Placed and compacted</u></td> <td>from <u>0</u> feet to <u>max</u> feet</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>from _____ feet to _____ feet</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>from _____ feet to _____ feet</td> </tr> <tr> <td colspan="2"><b>Intervals of casing removed/ripped in feet</b></td> <td>from <u>N/A</u> feet to _____ feet</td> </tr> </tbody> </table>			Amount and Type of Material	Method of Placement	Interval	<u>Inert material from neighboring pit</u>	<u>Placed and compacted</u>	from <u>0</u> feet to <u>max</u> feet	_____	_____	from _____ feet to _____ feet	_____	_____	from _____ feet to _____ feet	<b>Intervals of casing removed/ripped in feet</b>		from <u>N/A</u> feet to _____ feet
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Report <u>must</u> be signed or name entered by person who performed the well plugging work or by the well owner if this person is unknown or not reachable. I (we) have read the statements made herein, know the contents thereof, and that they are true to my (our) knowledge.																	
Sign or enter full name  <u>Austin Malotte, P.E. (Owner's consultant)</u>	If signing print name & title  _____	Date (mm/dd/yyyy)  <u>07/15/2016</u>															
It is the responsibility of the well owner to have the well/hole properly plugged and sealed. The Well Construction Contractor is responsible for notifying the owner of this requirement.																	



**E-470 Public Highway Authority**  
22470 E. 6th Parkway, Suite 100  
Aurora, CO 80018  
303.537.3700 Phone  
303.537.3472 Fax

Adams County  
Arapahoe County  
Aurora, CO  
Brighton, CO  
Commerce City, CO  
Douglas County  
Parker, CO  
Thornton, CO

October 15, 2014

Colorado Division of Water Resources  
1313 Sherman Street #818  
Denver, CO 80203

To Whom it May Concern:

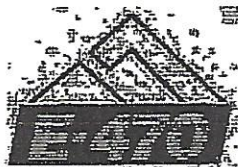
This letter authorizes Bishop-Brogden Associates, Inc. to act as agent for E-470 Public Highway Authority with regard to matters involving water well permit applications and other necessary filings or correspondence with the Division of Water Resources regarding well permitting and registration.

Sincerely,

A handwritten signature in blue ink that reads "NG Thomson".

Neil G. Thomson P.E.  
Director of Engineering and Roadway Maintenance  
E-470 Public Highway Authority

NT/pd



21 acres

## SEEDING SPECIFICATIONS

The fertilizer application for seed mix shall be diammonium phosphate (18-46-0) applied at the rate of 200 lbs/acre.

### Seed Mix

\$ 205<sup>00</sup> / AC  
@  
25 PLS #

COMMON NAME - GRASSES	Drilled lbs PLS/Acre
Sideoats Grama	1.00
Western Wheatgrass	6.00
Thickspide Wheatgrass	4.00
Streambank Wheatgrass	4.00
Buffalo Grass	2.00
Sand Dropseed	.30
Indian Grass	.50
Switchgrass	1.50
Little Bluestem	.50
Sand Bluestem	.20
Prairie Sandreed	1.00
Indian Ricegrass	1.50
TOTAL lbs PLS/Acre	22.50
COMMON NAME - FORBS	
Purple Prairie Clover	.30
Blue Flax	1.00
Yarrow	.10
Prairie Coneflower	.30
Perennial Gaillardia	.50
Prairie Aster	.30
TOTAL lbs PLS/Acre	2.50

Arkansas Valley Seed Solutions  
4333 Hwy 66  
Longmont, CO 80504  
Phone No: (877) 907-3337  
Fax No: (970) 535-4522  
Web site: [www.avseeds.com](http://www.avseeds.com)  
Delivery is available via UPS.

Revised 12/11/02



Granite Seed - Denver  
From 490 East 76th Ave., Unit A  
Denver, CO 80229

11 of 27

Mix Name Brannan- Sandy Acres  
Mix # 171455

3-26956

Brannan- Sandy Acres

% Pure	Common Name	Variety	G + D or H	Origin
43.71	ALKALIGRASS	VNS	98 + 0 = 98	ND
37.96	ALKALI SACATON	VNS	32 + 64 = 96	NM
6.28	TALL WHEATGRASS	Altar	93 + 0 = 93	SD
5.17	PRAIRIE CORDGRASS	Red River	37 + 58 = 95	NM
0.93	ALKALIGRASS, NUTTAL	VNS	78 - T2	CAN
0.93	SALTGRASS, INLAND	VNS	93 - T2	UT

1.07 Other Crop Date Tested: 28-Jan-16

3.69 Inert Matter Hard Seed: 0.00

0.08 Weed Seed

Noxious Weed: NONE FOUND

Net Weight: 45.88 Lbs. PLS

50.00 Lbs. Bulk

Coverage: 80.000 Bulk #

#### NOTICE TO BUYER LIMITATIONS OF WARRANTIES AND REMEDIES

Crop yield and quality are dependent upon many factors beyond the control of the labeled seller and NO WARRANTY is made for crop yield and quality. The labeled seller warrants that all seed sold has been labeled as required under applicable state and federal seed law and that the seed conforms to the label description, within recognized tolerances. THIS WARRANTY IS IN LIEU OF ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE LABEL.

No claim shall be asserted against the labeled seller unless Buyer reports to the labeled seller within a reasonable period after discovery (not to exceed thirty days), any condition that might lead to a complaint. BUYER'S EXCLUSIVE REMEDY FOR ANY CLAIM OR LOSS RESULTING FROM BREACH OF WARRANTY, BREACH OF CONTRACT OR NEGLIGENCE (INCLUDING BUT NOT LIMITED TO INCIDENTAL OR CONSEQUENTIAL DAMAGES) SHALL BE LIMITED TO REPAYMENT OF THE PURCHASE PRICE.

By acceptance of the seed, Buyer agrees the terms and conditions stated above are a benefit to the bargain and constitute the entire agreement between Buyer and the labeled seller. Buyer shall return the original unopened seed package to the labeled seller within twenty days of receipt for a refund of the purchase price if not accepted under these terms.

#### NOTICE REQUIRED ARBITRATION / CONCILIATION / MEDIATION

The seed laws of several states including Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Minnesota, Mississippi, Montana, North Dakota, South Carolina (Section 48-21-260), South Dakota, Texas and Washington require arbitration, conciliation or mediation of disputes involving alleged defective seed before certain legal actions may be maintained against a seller. North Carolina offers an alternative to court action that allows claims to be investigated and heard before the Special Seed Board. A complaint (sworn for AR, CO, FL, IL, IN, MN, MS, MI, NC, SC, TX, WA, signed only, CA, GA, ID, ND, SD) must be filed with the Department of Agriculture or Seed Commissioner (IN) or State Plant Board (AR) or Commissioner of Agriculture (NC) within such time to permit an inspection of seed, crops or plants (by an Arbitration Committee - AR, ID, MS, SC). In NC, failure to follow this procedure will limit the amount of damages recoverable. Certified copy of complaint must be sent by registered mail to the labeled seller as provided in individual state law. Information about these requirements may be obtained from the State Department of Agriculture.

Will Call:  
Powell Restoration

Granite Seed - Denver  
From 490 East 76th Ave., Unit A  
Denver, CO 80229

12 of 27

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3-26956

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Powell Restoration